

1 AN ACT concerning State finance.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The State Finance Act is amended by changing
5 Section 6z-43 as follows:

6 (30 ILCS 105/6z-43)

7 Sec. 6z-43. Tobacco Settlement Recovery Fund.

8 (a) There is created in the State Treasury a special
9 fund to be known as the Tobacco Settlement Recovery Fund,
10 into which shall be deposited all moneys ~~monies~~ paid to the
11 State pursuant to (1) the Master Settlement Agreement entered
12 in the case of People of the State of Illinois v. Philip
13 Morris, et al. (Circuit Court of Cook County, No. 96-L13146)
14 and (2) any settlement with or judgment against any tobacco
15 product manufacturer other than one participating in the
16 Master Settlement Agreement in satisfaction of any released
17 claim as defined in the Master Settlement Agreement, as well
18 as any other moneys ~~monies~~ as provided by law. All earnings
19 on Fund investments shall be deposited into the Fund. Upon
20 the creation of the Fund, the State Comptroller shall order
21 the State Treasurer to transfer into the Fund any moneys
22 ~~monies~~ paid to the State as described in item (1) or (2) of
23 this Section before the creation of the Fund plus any
24 interest earned on the investment of those moneys ~~monies~~. The
25 Treasurer may invest the moneys in the Fund in the same
26 manner, in the same types of investments, and subject to the
27 same limitations provided in the Illinois Pension Code for
28 the investment of pension funds other than those established
29 under Article 3 or 4 of the Code.

30 (b) As soon as may be practical after June 30, 2001, the
31 State Comptroller shall direct and the State Treasurer shall

1 transfer the unencumbered balance in the Tobacco Settlement
2 Recovery Fund as of June 30, 2001 into the Budget
3 Stabilization Fund. The Treasurer may invest the moneys in
4 the Budget Stabilization Fund in the same manner, in the same
5 types of investments, and subject to the same limitations
6 provided in the Illinois Pension Code for the investment of
7 pension funds other than those established under Article 3 or
8 4 of the Code.

9 (c) At least 50% of all moneys deposited into the Fund,
10 including moneys generated from Fund investments, must be
11 appropriated for new or enhanced public health initiatives,
12 or for the continuation of any such initiatives instituted
13 after the effective date of this amendatory Act of the 92nd
14 General Assembly. These initiatives may include, but are not
15 be limited to, programs for the health care of children,
16 prevention and cessation of tobacco use, enforcement of
17 restrictions on juvenile access to tobacco products, and
18 public education on the dangers of tobacco use.

19 (d) The Tobacco Recovery Advisory Commission is created
20 to advise on the use and allocation of moneys deposited into
21 the Fund. The Commission shall consist of the Attorney
22 General, who shall chair the Commission, 2 members of the
23 Senate, one appointed by the President of the Senate and the
24 other appointed by the Minority Leader of the Senate, 2
25 members of the House of Representatives, one appointed by the
26 Speaker of the House of Representatives and one appointed by
27 the Minority Leader of the House of Representatives, and 4
28 public members, 2 of whom shall be appointed by the Governor
29 and 2 of whom shall be appointed by the Attorney General.
30 The public members must have expertise in issues of public
31 health. The members of the Commission shall receive no
32 compensation for their services but shall be reimbursed for
33 necessary expenses incurred in the performance of their
34 duties from sums appropriated to the Attorney General from

1 the Fund for this purpose. The Commission must report to the
2 Governor and the General Assembly not later than January 1 of
3 each calendar year.

4 (Source: P.A. 91-646, eff. 11-19-99; 91-704, eff. 7-1-00;
5 91-797, eff. 6-9-00; revised 6-28-00.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.